

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA

In re:)
)
TOMMY DEWAYNE DOBSON) Chapter 11
ANNE CHRISTINE DOBSON,) Case No. 23-60148
91 Beaver Dam Court)
Keswick, VA 22947)
xxx-xx-7152)
xxx-xx-6517)
)
Debtors.)

)
TOMMY DEWAYNE DOBSON)
ANNE CHRISTINE DOBSON,)
)
Debtors/Objecting Party,)
)
v.)
)
Michael Littlefield)
and)
Karen Littlefield,)
)
Claimants/Respondents.)

**NOTICE OF OBJECTION TO CLAIM NUMBER 21,
HEARING ON OBJECTION TO CLAIM, & DEADLINE TO FILE A RESPONSE**

Tommy Dewayne Dobson and Anne Christine Dobson have filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then on or before **November 22, 2023**, you or your lawyer must:

File with the court a written response to the objection, explaining your position, at:

U. S. Bankruptcy Court
210 Church Ave.
Room 200
Roanoke, VA 24011

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above.

You must also send a copy to: David Cox, Cox Law Group, PLLC, 900 Lakeside Drive, Lynchburg VA 24501

Attend the hearing on the objection, scheduled to be held on **November 29, 2023, at 11:00 am**, by Zoom video conferencing. All parties connect using video conference instructions on the court website. The Zoom URL is: <https://vawb-uscourtsgov.zoomgov.com/j/1603692643>. The Zoom Meeting ID is: 160 369 2643.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Date: October 11, 2023

Prepared by:

/s/ David Cox

David Cox, Counsel for Debtors
Cox Law Group, PLLC
900 Lakeside Drive
Lynchburg, VA 24501
David@coxlawgroup.com
434-845-2600

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OBJECTION TO CLAIM NUMBER 21

Tommy Dewayne Dobson and Anne Christine Dobson, the debtors and debtors-in-possession in the above captioned Case (the “Debtors”), for their objection (the “Objection”) to Proof of Claim No. 21, filed by Michael Littlefield and Karen Littlefield (the “Claimants”), state as follows:

Procedural Background & Jurisdiction

1. The Debtors filed a voluntary petition under Subchapter V of Chapter 11, Title 11, United States Code (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Western

District of Virginia (the “Court”) on February 7, 2023, commencing the captioned case (the “Case”).

2. The Debtors are authorized to continue to operate their business and manage their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

3. William E. Callahan, Jr., was appointed and continues to serve as the subchapter V Trustee in this case.

4. The Court has jurisdiction over this Case and this objection pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of this Case and the Objection in this district is proper under 28 U.S.C. §§ 1408 and 1409.

The Objection to the Claim

5. On April 2, 2023, the Claimants filed a proof of claim in the Case that was designated by the Court as Proof of Claim No. 20 (“POC 20”).

6. POC 20 indicates that the Claimants assert a total claim against the Debtors of \$169,561.29 as a general unsecured claim.

7. On April 3, 2023, the Claimants filed a proof of claim in the Case that was designated by the Court as Proof of Claim No. 21 (“POC 21”).

8. POC 21 indicates that the Claimants assert a total claim against the Debtors of \$169,561.29 as a general unsecured claim.

9. Upon information and belief, POC 21 appears to be a duplicate of POC 20. Nothing in the attachments would indicate that POC 21 arises from a different alleged claim than POC 20.

10. Pursuant to 11 U.S.C. § 502(b)(1) a claim may be disallowed if "such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law for a reason other than because such claim is contingent or unmatured...."

11. The Debtors object to the allowance of POC 21 on the grounds that it is a duplicate of POC 20.

Notice & Deadline to Object

12. The Debtors have given notice of this Objection to the Claimants and of the deadline by which the Claimants must file any response in opposition to the Debtors' Objection, as reflected in the Notice of Objection to Claim, Deadline to Respond to the Objection and Notice of Hearing (the "Notice") filed with the Court. Such Notice fully complies with Federal Rules of Bankruptcy Procedure 3007 and Local Rule 9013-1(M), made applicable to this Objection pursuant to Federal Rule of Bankruptcy Procedure 9007. The Notice is sufficient to provide adequate notice of the Objection, the deadline to respond, and the notice of any hearing to be held to the Claimants. In the event there is no response to the Objection filed with the Court by the deadline set forth in the Notice, the Debtors request that the Court enter an order granting the relief requested in the Objection and such other relief as the Court may deem proper and just.

WHEREFORE, the Debtors move the Court to enter an order:

- A. Sustaining the Objection;
- B. Disallowing Proof of Claim No. 21;
- C. Granting such other and further relief as the Court may deem just and proper; and
- D. In the event there is no response to the Objection timely filed by the deadline to do so, cancelling the hearing on the Objection and granting the relief requested herein without a hearing.

Dated: October 11, 2023

Respectfully Submitted,

**TOMMY DEWAYNE DOBSON
ANNE CHRISTINE DOBSON**

By Counsel

By: /s/ David Cox

David Cox (VSB #38670)
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COX LAW GROUP, PLLC
900 Lakeside Drive
Lynchburg, Virginia 24501
434/845/2600
434/845/0727 (Facsimile)
Counsel for the Debtors

Certificate of Service

I caused the attached pleadings to be filed with the Court and mailed to the following parties by first class, postage prepaid mail on October 11, 2023.

Michael Littlefield
1951 Lewis Mountain Road
Charlottesville, VA 22903-1951

Karen Littlefield
1951 Lewis Mountain Road
Charlottesville, VA 22903-1951

/s/ David Cox